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20 **IN THE UNITED STATES DISTRICT COURT**

21 **FOR THE DISTRICT OF MONTANA BILLINGS DIVISION**

22 BRANDY MORRIS and BRENDA
23 GRAY, on behalf of themselves and all
24 others similarly situated,

25 Plaintiffs,

26 vs.

27 FIRST INTERSTATE BANK,

28 Defendant.

CASE NO.: 21-CV-00076-DWM-
TJC

**DECLARATION OF JOSH
BOTNEN IN SUPPORT OF
FIRST INTERSTATE BANK'S
OPPOSITION TO MOTION
TO REMAND**

I, Josh Botnen, declare and state as follows:

1. I am currently employed as the Senior Vice President, Chief Data and Analytics Officer of First Interstate Bank. My duties and responsibilities include maintaining and supervising those who maintain electronic data relating to First Interstate customers. The data includes, among other things, addresses and other information required for purposes of communicating with customers regarding their accounts. This data is relied on by First Interstate to communicate with customers for, among other things, providing them information about their accounts. The customer data maintained by First Interstate includes mailing addresses for each customer. Mailing addresses are used to send periodic account statements and other notices to customers who have opted to receive their account statements by mail.

2. On June 22, 2021, I had one of the persons working under my supervision pull the current address information for all First Interstate accounts. I created a chart summarizing the states associated with the addresses in First Interstate's records for each of the accounts. A true copy of the chart is attached as **Exhibit A**. As of June 22, 2021, 38.54% of all accounts listed Montana as the address where statements should be sent if they are sent by mail. The remaining accounts listed an address in another state or country, or did not list an address.

3. The addresses that I used to prepare the chart are addresses for current customer accounts in First Interstate's system. Certain addresses may not be accurate if a customer moved and has not sent First Interstate a notice of change of address. In addition, the analysis does not include closed accounts. If a customer closes his or her account, then First Interstate does not keep track of address changes.

I declare under penalty of perjury that the foregoing is true and correct.
Executed August 18, 2021 at Billings, Montana.

/s/ Josh Botnen

Josh Botnen

EXHIBIT A

STATE	TOT_ACT	PCT_TOT
MT	101,363	38.54%
WY	46,483	17.67%
OR	41,718	15.86%
ID	28,970	11.01%
SD	20,314	7.72%
WA	13,234	5.03%
CA	1,424	0.54%
	1,374	0.52%
AZ	1,099	0.42%
CO	1,055	0.40%
TX	766	0.29%
FL	494	0.19%
ND	404	0.15%
NV	376	0.14%
UT	333	0.13%
NE	284	0.11%
MN	279	0.11%
NM	166	0.06%
AK	164	0.06%
NC	143	0.05%
NY	143	0.05%
TN	132	0.05%
IL	131	0.05%
VA	128	0.05%
IA	123	0.05%
GA	122	0.05%
MI	122	0.05%
HI	121	0.05%
PA	116	0.04%
WI	114	0.04%
MO	108	0.04%
KS	107	0.04%
OK	107	0.04%
OH	105	0.04%
IN	80	0.03%
AL	75	0.03%
MA	70	0.03%
LA	66	0.03%
CT	62	0.02%
SC	62	0.02%
MD	60	0.02%
NJ	60	0.02%
AR	54	0.02%
NH	45	0.02%
KY	44	0.02%
MS	40	0.02%

ME	33	0.01%
VT	28	0.01%
DC	22	0.01%
AE	14	0.01%
WV	14	0.01%
AP	13	0.00%
RI	11	0.00%
	10	0.00%
DE	5	0.00%
MP	4	0.00%
PR	3	0.00%
CHE	2	0.00%
KAL	2	0.00%
VI	2	0.00%
AA	1	0.00%
AS	1	0.00%
BEL	1	0.00%
BIL	1	0.00%
BOZ	1	0.00%
CAL	1	0.00%
CAS	1	0.00%
FRU	1	0.00%
HAR	1	0.00%
HEL	1	0.00%
LOL	1	0.00%
NAM	1	0.00%
POS	1	0.00%
SAN	1	0.00%
SIL	1	0.00%
WHI	1	0.00%
TOTAL	263,019	